

**CITY OF EUREKA
CITY COUNCIL/
REDEVELOPMENT AGENCY
/PUBLIC FINANCING
AUTHORITY AGENDA**

Marian Brady 1st Ward
Linda Atkins 2nd Ward
Mike Newman 3rd Ward
Melinda Ciarabellini 4th Ward
Lance Madsen 5th Ward



Frank J. Jäger, Mayor

**REGULAR MEETING
TUESDAY, MARCH 15 2011
CLOSED SESSION 5:00 P.M.
REGULAR SESSION 6:00 P.M.
COUNCIL CHAMBER
531 K STREET
EUREKA, CA 95501**

David Tyson, City Manager
Pam Powell, City Clerk
William Bragg, Interim City Attorney

CLOSED SESSION

If closed session items cannot be completed by 5:55 P.M., they will be continued at the conclusion of the regular agenda, provided there is time. If time does not allow then those closed session items will be continued to the next regular meeting.

A. PUBLIC COMMENT PERIOD

(Limited to 3 minutes each speaker on closed session agenda items only)

B. Conference with legal counsel-existing litigation

Name of case: KFD Enterprises, Inc., dba Norman's Dry Cleaner v. City of Eureka (N.D. Cal. CV084571).

Pursuant to California Government Code Section 54956.9(a)

C. Conference with real property negotiators

Property: Coastal Dependent Industrial property located on the water side of Waterfront Drive, westerly of the Eureka Small Boat Basin; upland portion of APN 003-062-021.

Agency negotiator: David Tyson for the Eureka Redevelopment Agency

Negotiating parties: David Schneider

Under negotiation: price, terms, and conditions.

Pursuant to California Government Code Section 54956.8

D. Conference with labor negotiators

Agency designated representatives: David Tyson for City of Eureka

Employee organization: Unrepresented management, mid-management, and confidential employees.

Pursuant to California Government Code Section 54957.6

E. Conference with real property negotiators

Property: APN 002-241-011 (known as the Halvorsen Site)

Agency negotiator: David Tyson for the City of Eureka

Negotiating parties: Mission Swimpossible, Inc.

Under Negotiation: price terms, and conditions

Pursuant to California Government Code Section 54956.8

6. Sidewalk Improvement Project Bid No. 2011-7
Recommendation: Award Bid No. 2011-7 to lowest responsive bidder, V and C Construction in the amount of \$48,143.00.
(Public Works Director)
7. Eureka Public Financing Authority Debt Issuance
Recommendation:
 1. Adopt a resolution of the governing board of the Eureka Public Financing Authority authorizing the issuance of Eureka Public Finance Authority Wastewater Revenue Bonds, Series 2011 and the execution and delivery of a trust agreement , an installment purchase agreement, a bond purchase contract and an official statement in connection therewith and approving a preliminary official statement therefore and delegating to the Secretary of the Authority the power to authorize the sale of said bonds and to take certain related actions in connection therewith; and
 2. Adopt a resolution of the City Council of the City of Eureka authorizing execution of an installment purchase agreement with the Eureka Public Financing Authority and a bond purchase contract with said Authority and Piper Jaffray & Co. in connection with the financing of the City's 2011 wastewater project.
(Finance Director)
8. Bid Protest Procedure Policy
Recommendation: Adopt Policy No. 6.20 "Bid Protest Procedure" as a policy of the City Council.
(Assistant City Manager)
9. Street Overlay 2010 Bid No. 2010-18
Recommendation:
 1. Accept Street Overlay 2010 construction project; and
 2. Authorize the filing of a "Notice of Completion: at the Office of the County Recorder.
(Assistant City Manager)
10. Martin Slough Interceptor Phase 1 Easement Acquisitions
Recommendation:
 1. Authorize staff to finalize negotiations with eight property owners for the acquisition of seventeen (17) easements for the Martin Slough Interceptor Project Phase 1; and
 2. Approve an expenditure up to \$45,000 in Wastewater Funds for the acquisition of seventeen (17) easements for the Martin Slough Interceptor Project Phase 1; and

3. Authorize the City manager to execute the documents to complete the acquisition of seventeen (17) easements for the Martin Slough Interceptor Project Phase 1.

ORDINANCES/RESOLUTIONS

11. Highway Safety Improvement Program Project HSI
Recommendation:
 1. Adopt a Resolution of the City Council accepting the HSIP Grant Project No. HSIP4-01-003 in the amount of \$338,500, for the West Avenue Improvement Project; and
 2. Authorize the Assistant City Manager to execute all documents, agreements, applications, and payment requests which may be necessary for the completion of the project; and
 3. Approve local match funding of \$37,610 from Proposition 42 gas tax funds.

(Assistant City Manager)
12. Adult Softball Program
Recommendation:
 1. Restore Adult Softball Program by utilizing higher participation fees to offset program costs; and
 2. Adopt Resolution of the City Council to increase participation fees by 28% for Adult Softball Program.

(Public Works Director)
13. Funding for Eureka Waterfront Access Project
Recommendation: Adopt Resolution of the City Council approving the grant of funds from the State Coastal Conservancy for Eureka Waterfront Access Project (Grant Agreement No. 10-068).

(Public Work Director)

REPORTS/ACTION ITEMS

14. Watershed Restoration Efforts
Recommendation: Receive report about watershed restoration work being done by the California Conservation Corps through Proposition 84 funding.

(Public Work Director)
15. Medical Cannabis Selection Committee Recommendations
Recommendation:
 1. Receive presentations from Compassionate Care of Eureka, Humboldt Bay Wellness, and Natural Green Health Center.
 2. Invite Compassionate Care of Eureka to submit an application for a Conditional Use Permit to establish a

medical cannabis cultivation, production and distribution facility in city limits; and

3. Invite Humboldt Bay Wellness to submit an application for a Conditional Use Permit to establish a medical cannabis distribution only facility in city limits; and

4. Invite Natural Green Health Center to submit an application for a Conditional Use Permit to establish a medical cannabis cultivation, production and distribution facility in city limits.

(City Manager)

16. Martin Slough Interceptor Phase 1-Consultant Services during Construction

Recommendation: Authorize staff to prepare and execute contracts with consultant firms for services during construction for Phase 1 of the Martin Slough Interceptor project.

(Assistant City Manager)

17. Finance Advisory Committee Work Program

Recommendation: 1. Direct Finance Advisory Committee to provide a report on City budget and financial policies; and
2. Provide a report on City infrastructure and proposed funding alternatives.

(Councilmember Newman)

18. Coastal Commission Appointment

Recommendation: Submit nomination(s) for Coastal Commission appointment to the Mayor City Selection Committee.

(City Manager)

19. Fee Waiver for Use of Adorni Building

Recommendation: 1. Deny request for rental fee waiver for League of Women Voters use of the Adorni Building.

(City Manager)

CITY MANAGER/EXECUTIVE DIRECTOR'S REPORTS

Police Department Monthly Report

ADJOURNMENT

If open session items cannot be completed by 9:30 P.M., the meeting may be adjourned to the next regular meeting or Council may vote to extend the meeting.

NOTICES

- The City Council agenda and supporting documents are available for public review on the Friday afternoon prior to the Tuesday meeting at the City Clerk's Office, the Eureka Humboldt County Library and on-line at www.ci.eureka.ca.gov.
- The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon the request and consensus of the Mayor and Council.
- Any writing that is a public record not exempt from public disclosure and relating to an agenda item for open session of the City Council is available for public inspection at the Office of the City Clerk, 531 K Street, Room 207, Eureka, CA 95501.
- The meeting rooms are ADA accessible. Accommodations and access to City meetings for people with special needs must be requested of the City Clerk at 441-4175 72 hours in advance of the meeting. This agenda and other materials are available in alternate formats upon request.
- All persons in attendance at public meetings are requested to observe the following rules of civil debate:
 1. We may disagree, but we will be respectful of one another.
 2. All comments will be directed to the issue at hand.
 3. Personal attacks are unacceptable.

Applauding or other displays of approval/disapproval are discouraged.

- Regular City Council/Redevelopment Agency meetings are broadcast live by Humboldt Access on Cable Channel 10. Council meetings can also be viewed on line at www.accesshumboldt.net – Search archives “Eureka City Council Meetings”.
- To minimize distractions, please be sure all personal communication devices are turned off or on silent mode.

Questions? Please e-mail ppowell@ci.eureka.ca.gov or contact the City Clerk's office at (707) 441-4175.